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8 Attorneys for Defendant
9 ALLIED COLLECTION SERVICES, INC.
10

11 **UNITED STATES DISTRICT COURT**
12 **DISTRICT OF NEVADA**
13

14 DEREK LAND,

15 Plaintiff,

16 vs.

17 ALLIED COLLECTION SERVICES, INC.;
18 EXPERIAN INFORMATION SOLUTIONS,
19 INC.' EQUIFAX INFORMATION
20 SERVICES, LLC; and TRANS UNION LLC,
21

22 Defendant.
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CASE NO. 2:22-cv-01641-APG-EJY

**JOINT MOTION FOR EXTENSION OF
TIME TO FILE OPPOSITION TO
PLAINTIFF'S ATTORNEY FEE MOTION
(FOURTH REQUEST)**

1 Defendant Allied Collection Services, Inc. (“Defendant”) pursuant to LR IA 6-1, with
 2 the stipulated consent of, Plaintiff Derek Land (“Plaintiff”), respectfully move the Court for an
 3 Order Extending Time for Defendant to file its Opposition to Plaintiff’s Motion for Attorney
 4 Fees [Dkt. # 72]. This is Defendant’s fourth request for an extension of time relative to
 5 Plaintiff’s Motion. Defendant further states the following in support of this request:

- 6 1) On August 19, 2024, the Court entered an Order setting the deadline for plaintiff to file
 7 his motion for attorney’s fees and costs as September 11, 2024.
- 8 2) That same day, the court set Defendant’s deadline to file its opposition as October 9,
 9 2024.
- 10 3) On September 11, 2024, Plaintiff filed his Motion for Attorney’s Fees. [Dkt. 72.]
- 11 4) At the time of the August 19, 2024 hearing, Defense Counsel failed to identify that its
 12 opposition deadline fell in the middle of a preplanned family vacation.
- 13 5) On October 3, 2024, Defense Counsel reached out to Plaintiff’s Counsel regarding the
 14 instant Joint Motion to Extend Time and requested until October 18 to file its
 15 Opposition.
- 16 6) On October 4, 2024, Plaintiff’s Counsel responded that it did not object to Defendant’s
 17 Opposition deadline being extended to October 18.
- 18 7) On October 4, 2024, Defendant filed its first request for an extension of time to file it’s
 19 opposition to Plaintiff’s Motion for Attorney’s Fees. [Dkt. #73.]
- 20 8) On October 7, 2024, the Court Granted the Joint Motion. [Dkt. #74.]
- 21 9) Since the first request, Defense Counsel’s father-in-law has been hospitalized, again.
 22 He is elderly, and diabetic. Family have been flying back to be with him.
- 23 10) This has resulted in childcare obligations falling solely on Defense Counsel.
- 24 11) On October 16, Defense Counsel notified Plaintiff’s Counsel of same and requested a
 25 second extension of time to file the opposition to Plaintiff’s Motion for Attorney’s Fees
 26 to October 25.
- 27 12) On October 17, Plaintiff’s Counsel advised it had no opposition to this second request.
- 28 13) On October 17, 2024, Defendant filed the Joint Motion to Extend Time seeking a

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1 second one week extension. [Dkt. 75]

2 14) On October 18, 2024, the Court granted the extension. [Dkt. 76]

3 15) While defense counsel was working on the Opposition, certain new life events
4 transpired:

5 a) On October 23, 2024, Defense Counsel was in the fourth day of an all-day
6 “speedy motion hearing” on a personal legal matter, which did not come to
7 conclusion and is being set for a fifth session. Defense Counsel and his private
8 counsel are preparing for that fifth session now.

9 b) Also, on October 23, 2024, Defense Counsel learned from family that his 81-
10 year-old mother’s dementia has rapidly progressed over the past few weeks and
11 she is now wheelchair bound and losing other essential motor skills like use of a
12 knife and fork.

13 c) Defense Counsel’s 82-year-old father and sister have decided to seek full time
14 assistance and/or placement in nursing home because her only caretaker,
15 Counsel’s father, is undergoing a biopsy for a tumor on his spleen and then
16 shortly thereafter an MRI to see what can be done for his 4 fractured vertebrae.

17 16) Defense Counsel notified Plaintiff’s counsel of these issues on October 24, 2024.

18 Counsel requested 4 weeks, which would get counsel past all of the immediate legal and
19 medical issues, or whatever extension Plaintiff’s Counsel would be agreeable with.

20 17) Unfortunately, counsel were both out of the office and unable to immediately respond to
21 this request.

22 18) On October 24, 2024 just before 11:00 am, Plaintiff’s Counsel Tarek Chami was able to
23 discuss the present Motion to Defense Counsel and indicate that Plaintiff has no opposition
24 to Defendant’s request.

25 19) On October 24, 2024, Defendant filed the Joint Motion to Extend Time seeking a four-
26 week extension. [Dkt. 77]

27 20) On October 25, 2024, the Court granted the extension. [Dkt. 78]

28 21) On November 21, 2024, Defense Counsel notified Plaintiff’s counsel that his mother

1 entered hospice care on November 19, 2024, necessitating his immediate departure to be
 2 with his family in Las Vegas, Nevada. In response, Plaintiff's counsel stated via email that
 3 they have no objection to an additional four-week extension of time for Defense Counsel to
 4 file an opposition to Plaintiff's Motion and a continuance of the trial date currently set for
 5 December 2, 2024, provided that the matter is transferred to Craig Smith, Esq., and Tomiko
 6 Ortiz, Esq., to ensure no further delays.

7 For the reasons stated and for good cause shown, Defendant respectfully requests entry
 8 of an Order allowing Defendant to file its opposition to Plaintiff's Motion for Attorney's Fees
 9 and Costs on or before December 20, 2024.

10 Dated: November 22, 2024

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 12 By: s/ Sean P. Flynn
 13 Sean P. Flynn (SBN 15408)
 14 Attorneys for Defendant
 15 ALLIED COLLECTION SERVICES,
 16 INC.

17 CONSUMER ATTORNEYS
 18 By: s/ Tarek N. Chami
 19 Tarek Chami (SBN P76407)
 20 Attorneys for Plaintiff
 21 DEREK LAND

22 Dated: November 22, 2024

IT IS SO ORDERED.

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 25 ELAYNA J. YOUCHAH
 26 U.S. MAGISTRATE JUDGE
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